

UNITED STATES OF AMERICA

v.

DAVID POST

14 Cr. 715 (AKH)

EXHIBITS TO DEFENDANT DAVID POST’S SENTENCING MEMORANDUM

FAMILY

Debra Post (Wife) Exhibit A
Michael A. Post (Father)..... Exhibit B
Cindy Newman (Mother-in-law) Exhibit C
Jeffrey A. Post (Brother)..... Exhibit D
Jill Post (Sister-in-law) Exhibit E
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RABBI

Rabbi Clifford M. Kulwin.....Exhibit G

FRIENDS (IN ALPHABETICAL ORDER)

Laura Buttigieg Exhibit H
Susan B. Heyman..... Exhibit I
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EXHIBIT A

***The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312***

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

I am Dave's wife of almost 11 very happy years (the last year, for obvious reasons, has been more stressful than happy). I met Dave in 2002 at my childhood friend's twin sons' 1st birthday party. Those twins are Dave's nephews. That day changed my life forever in a good way. October 8, 2014 changed it forever in another.

When the FBI agents came to my door I thought they were 2 men collecting money for a donation of some sort. It never occurred to me or ever would have occurred to me that they were there because Dave was in trouble. I was in such shock and disbelief that it all felt like a dream. After standing there and talking to the two men from the FBI I came to realize it was actually a nightmare and it was all very real.

It was the first time I ever saw Dave in any kind of a compromised position. Dave has always been an honest, loving and truthful person. He has never felt the need to hide anything from me. We share everything and there were never any secrets between us, ever. This incident was truly an isolated situation. I always had the trust in Dave that he would make the right decisions for our family. In this case he clearly did not. However, as disappointed as I was/am with his terrible, thoughtless decision to try to profit from tips his friend obtained as an insider, I am equally as proud of how he has handled the aftermath.

Shocked and scared by the visit from the FBI, he still managed to compose himself and accept full responsibility for his actions that very same day. After spending the afternoon finding an attorney, he had the attorney call the FBI and DOJ for him that evening and admitted fault. He didn't try to blame anyone else for his bad choices. He did not play any games, or try to make any deals. Instead he was in the department of justice offices the next day helping to ensure that no public money would be wasted on a trial. He also pled guilty in your court only a couple of weeks after first being approached; despite the fact that this terminated our primary source of income/health care (his company had put him on paid suspension pending resolution of the investigation. He was terminated immediately upon the guilty plea).

But that is Dave. He really is a one of a kind individual. He has been a truly amazing husband to me as he always puts me first. He would do anything for me and his philosophy has been "if she is happy then I am happy." Dave is also an amazing father to our 2 children, Sydney and Dean. He is incredibly devoted to them and so involved in their lives that my own friends in our town have said he should get the "father of the year award." I would have to agree by that statement. He truly is a hands-on father. He genuinely loves being with them over anything in this world. Dave plays with the kids, helps them with their homework, coaches their teams, drives them and their friends to activities, etc. He is the one who reads with Sydney and Dean at night and puts them both to bed. He is also a wonderful uncle to his twin nephews, both of whom are autistic, teaching them sports and providing all the attention they desire.

For the most part both the children are very attached to Dave, almost to a fault. Our son Dean however is actually extremely attached to both of us (he has separation anxiety – my term, not a clinical diagnosis – he doesn't ever sleep out, is usually hesitant to play at other kids houses and will often cry and/or throw up if we try to go out at night, even if he's being watched by a relative), but even more so to Dave. Dean has always been anxious, to the point where he threw up literally every night we put him to bed the entire first year he was in a crib. Even back then, Dave would be the one who, while studying for his master's degree, would hold him and clean up his mess, having all the patience in the world. Today, Dean basically waits for Dave to come home anytime he leaves the house. He also goes from room to room looking for him while in the house.

Dave made the very unwise decision to take what he thought was a short cut to a better life for his family and has been paying for it ever since. He is plagued by the guilt that he let his family down. He lost his career which he worked so hard to build by going back to school full time when he was 36 years old. He is a convicted felon, whose name, offense, and guilty plea were and continue to be plastered all over the news and internet search results so that virtually everyone he has ever met or will meet knows of his misdeed.

What Dave did was unquestionably wrong, but he acknowledges his mistake, regrets it deeply, and is trying everything he can to make things right. He tries each and every day to make money for our family which is very challenging given his situation. He donates his time weekly to an old age home to help others in need. His actions already ended up destroying almost everything he had worked hard in his life to achieve. Please don't let them destroy this family as well. I am sincerely asking you to give Dave and my family a second chance. Incarcerating Dave would not do any justice to anyone but would be very detrimental to myself, our 2

innocent children and our family financially. Both our children and I need him physically and emotionally.

Respectfully submitted,

A handwritten signature in blue ink that reads "Debra Post". The signature is written in a cursive, flowing style.

Debra Post

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT B

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P Moynihan U.S. Courthouse
500 Pearl Street
New York, N.Y. 10007-1312

Michael A. Post
7712 Bridlington Drive
Boynton Beach, FL 33472

Dear Judge Hellerstein,

I am David's father. I am retired since 2002. During my career I was an executive with a number of computer consulting companies in the New York metropolitan area. I was responsible for up to 200 consultants developing and maintaining software for a number of major corporations.

My son and I have always had an excellent relationship. He has always been honest, hard working and respectful. In college he was responsible for all his personal expenses. When he lived in an apartment I owned, he always paid his rent on time and did projects to improve the premises.

I understand that David has pled guilty to a charge of using insider information to gain an unfair competitive advantage in trading stocks. This easy way of getting ahead is the opposite of how he previously approached life. His intelligence, hard work and diligence allowed him to succeed in a variety of fields including, property management, equity market making and product management.

When he left the property management company after three years, they offered him a large raise to stay, but David eschewed the minor short term gain to start from scratch in a new industry because he viewed the opportunity as having the larger long term reward. He was the most successful new market maker at his firm. He continued to do well for himself over the next few years until the rise of automation and computer algorithms in trading meant there was no longer a need for human market makers, either at his company or in the industry in general.

So David reinvented himself by going to graduate school for his MBA. He paid for it himself out of savings and graduated near the top of his class. He did such a good job with his internship at the bank, that he was given a full time position in which he was responsible for interfacing with high level clients, regulators and company executives. Unfortunately, this success did not translate financially as his

compensation, despite his high level of work and responsibility, was more in line with that of the typical 28 year olds with whom he attended school, rather than a 40 year old supporting a family of four.

I know this weighed on him as the most important aspect of David's life is his family. He is a great father to his 7 year old son Dean and 9 year old daughter Sydney. He is always available to coach their teams, attend their talent shows and games and spend quality time with them. He puts them to bed every night. He is also a loving husband to his wife Debbie. I believe his desire to more adequately provide for all their needs was a large part of his misguided motivation for his unacceptable actions.

At the time of his arrest, David and his family were not living extravagant lives. They live in a modest sized ranch house built in 1959. Debbie and David both lease pre-owned vehicles and Sydney and Dean go to public school. The only vacation they take is when they come to Florida each year to visit, but even then, I pay for their airfare and they stay with me, and not in a hotel.

I am of course prejudice, but I feel that David has been punished enough for his transgression. He is far worse off financially today than before he committed the insider trading. He has already returned the vast majority of the money he made to the federal government and cooperated with the prosecution of the other party in the case. His graduate degree, which he spent so much money and time to achieve, is basically now worthless. He lost the job he had been working at for a number of years and as a convicted felon will likely be prevented from working not only in his area of expertise, but for any public company or large corporation. Being away would be a great hardship to his young children and his wife. He has been punished enough, please don't punish them too.

Sincerely,

Michael A. Post

A handwritten signature in black ink that reads "Michael A. Post". The signature is written in a cursive, flowing style.

cc: Craig Carpenito, Esq.

Jessica Masella, Assistant U.S. Attorney

Edward Kim, Assistant U.S. Attorney

EXHIBIT C

The Honorable Alvin K. Hellerstein

United States District Court

Southern District of New York

Daniel P. Moynihan U.S. Courthouse

500 Pearl Street

New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Cindy Newman. I am David Post's mother-in-law. I am presently retired from working at Wenger N. A. for the past 23 years. Prior to that I was an elementary school teacher.

I first met Dave in 2002. In 2004 when I found out that Dave was going to marry my daughter I couldn't have been happier. Dave is one of the kindest, most considerate and most thoughtful person I ever met. I remember a few years ago Debbie and Dave asked me to go to Florida with them for the Christmas vacation. I told them that I couldn't go as there was no room to sleep in his father's house and that I was going to sleep in a hotel. Dave said "absolutely not". He said that he would sleep on the couch so I could have his bed. That is just one example how considerate he is of other people's feelings. He always puts their feelings first.

Dave is one of the most devoted father and husband that I ever met. I always said to my friends that he would get the "best" father award and the "best" husband award of the year. He is always there for his family. Every weekend and during the week he is always watching his kid's games. He coaches Dean's hockey team and soon will be coaching his football team.

Dave was the most loving son to his mother and father. He was very close to them. When his mother died in 2009 he was extremely devastated as she died only 3 months after being diagnosed with cancer.

Unfortunately Dave took a stock tip from someone he knew. He didn't do it to

hurt anybody but to help his family. I understand the charges of insider trading. I also understand that nobody lost any money and to incarcerate Dave would only hurt his wife and two small children. I feel that everybody deserves a second chance. Please don't take Dave away from his family. Dave is a great person and I love him very much.

Respectfully submitted,



Cindy Newman

cc: Craig Carpenito, Esq.

EXHIBIT D

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Jeffrey Post, and I have the honor of having known David Post for as long as just about anyone. As his older brother, I've been part of his life since his birth, and have watched him grow from child to teen to adult. We've been through it all, so to speak. As such, I doubt there are many more qualified to speak on his behalf, about the brother, son, father and husband that he's become.

No man is without flaws. Everyone makes mistakes. When David first told me that he had been charged with insider trading, I was stunned. But when I heard David's voice in telling it, I could hear that in his own way, he was stunned, too. It was the voice of a person who knew he had done wrong, the "I can't believe I've done something so stupid" tone that I'd heard before over the years.

Of course, insider trading is more than just "something stupid". But the "can't believe" part is due to the fact that it seems so out of character. David has always been responsible and hard-working and never one to take shortcuts or the easy way out. He paid for his room-and-board in college by becoming the maintenance man for the house. His first job out of school was, not coincidentally, as a building manager.

David is also responsible when it comes to finances. Having been part of the stock market boom in the late 90's, he earned a lot of money for a young man. His extravagances? A car that he drove for the next 13 years. A rental house that he eventually sold for a profit. This is not a man that I would expect to do something so foolish and reckless.

Neither is David someone who would want to jeopardize his family. His children are the most important things to him. He can always be found coaching someone's team or being the center of the family unit. His compassion for family extends beyond his own children. His nephews, both on the autism spectrum, can be challenging to some, exasperating to others. Yet Uncle David is always there, engaging them in conversation, making jokes, or playing ball. That he committed this act and risked his reputation and relationships is all the more baffling to me.

In the end, I cannot speak for why David did what he did. I do know that he expressed genuine remorse when we spoke about it. I also know that the life he has lived, and will continue to live

despite this misstep, is worthy of leniency on your behalf. I would ask that small kindness of you.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeffrey A. Post". The signature is stylized with a large, loopy "J" and "P".

Jeffrey A. Post

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT E

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Jill Post and I have been a special education teacher and administrator for over 25 years with the NYC DOE. I serve on several boards in my own community including PTA and Special Education PTA, volunteering to fundraise for organizations such as Autism Speaks as well as my Temple. I am writing this letter regarding David Post to request leniency regarding his sentencing for his crime of Insider Trading. I have known David Post for nearly 20 years, since I began dating his brother Jeffrey in 1996. I have watched him grow from a young single man into a loving, giving and caring husband, father, uncle, and son. David has personally had a significant impact on me as both a parent and educator. As his sister-in-law, I can speak honestly about his character, which is inconsistent with the crimes he has committed, and do not define the totality of him as a person.

As stated above, David Post is a very loving person. He is always a source of help and comfort for the Post immediate and extended family in many ways. David spends so much time with his children and the local community as a coach for his young son's teams. He is always at his daughter's dance recitals and gymnastics competitions. David is never too tired to play with his children after work, read to them at bedtime or soothe them when they are upset. David also gives of his time and spends a good deal of time with my children, his only nephews, who suffer from autism and are very demanding in many ways. He not only listens to Andrew and Bradley, he speaks to them on topics ranging from sports to school and life in general. David gives my children his undivided attention for as long as they want and include them in play with his children so everyone feels included. While the adults are socializing, David is playing with all of the children in the backyard. If we are at the pool or the beach, David is the vigilant eyes on and in the water, so that his brother and I can have some respite. David is also an extremely caring person. When family such as his father and aunt come in from out of town for weeks on end, it is David and his family who host them the entire time, making sure that the family stays together is crucial. He understands that family is the most important thing, especially since the loss of his mother 7 years ago very suddenly to Leukemia. David was the first one to step up during her illness to call her doctors to get the best information, and relaying it to the rest of the family so that we could make the best decisions about her care. He brought his children to see his mother when she was allowed visitors, and sat by her in the hospital room after the family made the excruciating decision to have her taken off of life support.

My request again, is that you consider leniency in his sentencing. David is and always has been a good person who knows that what he has done has changed his and his family's life irrevocably. David could barely speak when he told us about what he had done, and the shame he feels is evident. His wife and two small children will be devastated by his absence, so please remember that he is loved and by his family, friends and community.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jill Post, MS Sp. Ed., SBL/SDL". The signature is fluid and cursive.

Jill Post, MS Sp. Ed., SBL/SDL

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT F

September 9, 2015

The Honorable Judge Alvin Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

David Post is my nephew, the younger son of my only sibling, Michael Post. I am David's only aunt (on either side of the family) and I have known him and spent time with him for his entire life. David and I have been particularly close, especially since he graduated from college and went out on his own.

I am fully aware of David's crime and am completely surprised by it. Up until this incident, he has led a life of honesty and commitment to his wife and two children, as well as to the extended family.

David is a devoted family man, adored and respected by his two young children. He has always been someone who could be counted on by family members for help and support, whether it was his brother's family or his elderly grandparents while they lived in New York and then after they moved to Florida. For example, his brother has 14-year old twin sons who are both special needs children. David has been particularly supportive and helpful filling in for them at their home, including the twins in children's activities in his own home and as a sounding board for his brother as he found his way through the difficulties inherent in this situation.

Even as a college student, David would travel home to visit with his grandparents and even came out to California to see my husband and me. He has always appreciated the love and support that his family has provided and has followed that example with his own family.

There is nothing he won't do for his wife and children from building toys, helping out with computer problems, taking the children on all kinds of sports outings and helping them with schoolwork or sports teams and activities. David is not one of those husbands that floats through the house leaving everything to his wife. He is a full-on co-partner with Debbie doing such things as laundry, food shopping, picking up and dropping off the children at various activities and friends' houses. He is very accomplished at household improvements including painting, changing lighting fixtures, putting furniture together, plumbing and gardening. He is also a coach for his son's football team.

When the children were little, David put them to bed every night, reading them stories and keeping them company until they fell asleep. We used to joke that they were permanently attached to his shoulder and arm. They cried when he left for work and ran to the door when he came home—every day.

David and Debbie are generous friends, always hosting gatherings for holidays and special occasions. They think nothing of driving from New Jersey to Long Island to visit friends who have asked them to come for a visit.

David routinely takes his wife and children on weekend outings in the country to give the children a broader life experience. He is a thoughtful and intelligent man who has made one huge mistake and has learned from it, expressing remorse for putting his family in this situation. He is truly humbled by how one poor decision can set off a cascade of hardship for the people he loves the most in his life.

Respectfully submitted,

A handwritten signature in cursive script that reads "Loretta R. Wood". The signature is written in dark ink and is positioned above the printed name.

Loretta R. Wood

Cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT G



Rabbi Clifford M. Kulwin

September 9, 2015
25 Elul 5775

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

RE: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

I am pleased to write this letter of reference for my congregant, David Post. I say "pleased" because, while I have known David only since shortly after his arrest – he and his family had joined the synagogue not long before – I have come to like and respect him.

I called David as soon as I learned of the arrest, even though we did not know one another. As the family's rabbi, I of course felt a responsibility to offer all members of the family whatever comfort I could. I spent much of that very day with David and Debra at their home.

David was straightforward. Almost his opening words were, "I got greedy." He made no excuse for what he had done. He simply stated that an opportunity had presented itself, he became greedy, and he tried to take advantage of it. He made it clear it was entirely his fault.

As the long time rabbi of a large congregation I have, alas, known other congregants who have run afoul of the law. David is unique in the way he admitted everything quickly, upon his arrest, and did not attempt to play a game. I suspect that if the time from arrest to plea did not set a record, it came close. He has never wavered in his remorse nor in his horror at what he did to himself and his family, to say nothing of his horror that he had ever committed such an act in the first place.

In the interim, I know David has made energetic efforts at securing employment. I introduced David to one potential employer in real estate development. He was intrigued by David's resume and personal story, and taken with him in person. He would have

Hellerstein
September 9, 2015
Page Two

liked to have hired David, but was reluctant solely because his potential investment in David would be vulnerable to David's being away (i.e. sentenced) for an indeterminate period.

David has maintained a busy schedule of volunteer activities in our community. He currently coaches the Junior Lancers 2nd grade football team. He just finished coaching the West Orange street hockey team and before that was one of the coaches on the "Under 8" travel baseball team. Last winter he coached basketball at the West Essex YMCA and floor hockey at the Kushner Academy. He also coached recreation league soccer last fall.

David applied to become a Big Brother and was approved by the Big Brothers/Big Sisters office in Newark. They are holding his file aside for the moment as, obviously, they would not want him to initiate a relationship with a "Little" only to be away for an indeterminate time. However, I can confirm that the office was enthusiastic about him and David has pledged to me his intention to become a "Big" as soon as his future is clarified.

For the past few months David has been a weekend volunteer on an as-needed basis at Daughters of Israel, the area nursing home for the Jewish community. He assists residents as they go to and return from physical therapy, and also acts as a general helper to the therapists. David hopes to continue his service at Daughters of Israel. Further, he and I have discussed him speaking publicly about his actions, in the hope of deterring others from the mistake he made.

Through this time, I have never seen David be anything but ashamed, embarrassed and horrified by his actions. No one – not even a rabbi! – can know what is in another's heart, but I believe he is sincere and his remorse is genuine. That he is an asset to his community is beyond doubt.

I understand that a judge must take many factors into account when considering a sentence. I urge you to look upon David as a fundamentally good, decent and responsible person who made one terrible mistake, confessed his guilt at the earliest possible moment, and has done everything possible since then to make amends for his action.

I am grateful for the opportunity to share these words with you.

Respectfully submitted,



Rabbi Clifford M. Kulwin

cc: Craig Carpenito, Esq
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT H

8/26/15

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, N.Y. 10007-1312

re: United States V David Post, 14.CR.715(AKH)

Dear Judge Hellerstein:

Hello. My name is Laura Buttigieg, I am forty-six years of age and teach American History in the Clarkstown Central School District. I have been a teacher in the Clarkstown school system since September of 1994. I am writing this letter for my friend David Post, who I have known for the past twelve years. Your Honor, I am aware of the charges against David, and thank you for allowing me the opportunity to share my thoughts.

During the past twelve years I have always known David to be a devoted husband, father, son and friend. Knowing David for so long has allowed me to see him during life's blessings and hardships. I was a member of David and Debbie's wedding party on November 27, 2004. I was also a visitor in the hospital in March of 2006 when his daughter Sydney was born, and, in January, 2008 when his son Dean was born. David is truly an amazing father to both Sydney and Dean. Dave has been a "hands on" parent since his children were born. Dave's calm, loving and patient manner has been integral in their development. I am always impressed when Dave answers his children's questions. Dave really takes the time and energy to fully explain things to his children. Sometimes the answer takes more energy to further explain an additional concept they don't understand- but Dave never seems to mind. Dave loves being a parent. The strong bond he shares with his children, especially his son Dean, truly warms my heart-not only as a friend, but also as an educator. During the past twenty-one years, in public education, I have seen, first- hand, the role a parent's love and guidance can play in their children's ability to be successful. Unfortunately, I have also seen the consequences when parents are absent from their children's lives.

Dave has always been an extremely dedicated son. In February of 2009, Dave, unfortunately, suffered the loss of his mother. I will always remember that, despite being exhausted from countless hours in the hospital and consumed by grief, Dave was always more concerned with his father's well-being than his own. This truly is Dave's nature. During the past twelve years Dave has always proven to be a reliable and honest friend.

In summary, I was shocked and saddened to learn of the charges against David. It is completely out of character with the David I have known for the past twelve years. David has always shown himself to be a man dedicated to his wife, children, family and community of friends. Your honor, thank you again for giving me the time to show you the David Post I know. The warm, caring and devoted family man and friend. If I can be of any further assistance, you can reach me at (914) 443-7062.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura Buttigieg". The signature is written in dark ink and is positioned above the printed name.

Laura Buttigieg

Cc: Craig Carpenito, Esq.

Jessica Masella, Assistant U.S. Attorney

Edward Kim, Assistant U.S. Attorney

EXHIBIT I

Roger Williams University
SCHOOL OF LAW

Law Faculty, Ten Metacom Avenue, Bristol, Rhode Island 02809-5171
401.254.4661 • 401.254.4640 Fax • law.rwu.edu

September 3, 2015

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

I write this character letter on behalf of David (“Dave”) Post, a close family friend. Dave is a supportive, loving and devoted husband and father to two young children. Dave and I have been friends for over seven years and during this time I have come to know him well as our families have spent countless days, nights, weekends, and family occasions together. For the first three years of our friendship, we lived less than ten minutes apart in New Jersey and saw each other practically every day. Unfortunately, four years ago we moved to Long Island and do not have the ability to spend as much time together. Despite the move, however, our friendship has remained strong and we get together as often as possible— usually about once a month.

To give you a little background about myself, I am an attorney licensed to practice in New York for fifteen years. For the past few years I have been a law professor at Roger Williams University School of Law teaching in the areas of Contracts, Corporations and White Collar Crime. Prior to teaching, I was an associate at Debevoise and Plimpton, LLP, first in the corporate department and then in the litigation department, focusing on securities violations. I also clerked for the Honorable Robert E. Cowen of the United States Court of Appeals for the Third Circuit and for the Honorable William H. Walls, United States District Court for the District of New Jersey.

I have always known Dave to be an incredibly nurturing father to his seven-year old son Dean and nine-year old daughter Sydney. When Dean was a toddler he had anxiety falling asleep and sometimes made himself so upset that he would throw up. Rather than becoming frustrated with this situation and taking it out on Dean, Dave would spend hours trying to console Dean and help him to overcome his fears. Although Dean is now an adorable, smart and well-adjusted kid, he still has trouble going to sleep, does not like to sleep out of the house, and needs Dave to help him fall asleep. Dave does this without complaint, and actually enjoys the quiet time he gets to spend with his son.

Whether it be putting his kids to sleep, helping them with homework, coaching their sports or just playing with them, Dave spends the majority of his free time with his family. During our last visit with Dave, about two weeks ago, he spent hours swimming,

playing tennis, riding bikes and playing math games with our collective kids. During another visit we made up a geography game and had the kids write down as many states as they could in five minutes. We then went over the responses with them and gave a few hints so they could identify the states they had excluded. Without fail, whenever we are together Dave always includes my kids in his activities and any other kids that happen to be around. In fact, he often goes out of his way to make sure that a child never felt left out of a game or discussion. To that end, I trust Dave unconditionally with my children. When we lived in New Jersey, he would pick up, drop off, or watch my kids as though they were his own.

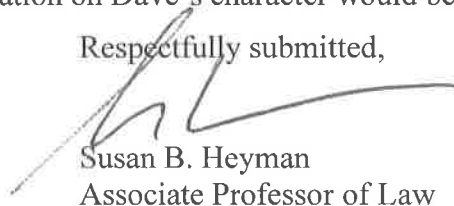
Dave is also a loving and supportive husband to Debbie, who is more like a sister to me than a friend. He has seen her through some rough times and has always been there to support her. Whether it be her decision to stop working to take care of the kids, or to go back to work to keep herself engaged – he is always by her side encouraging her to pursue her interests and dreams.

In addition to being a wonderful friend, father, and husband, Dave is an incredible son and brother. Unfortunately Dave lost his mother a few years ago to cancer and his family was unsurprisingly distraught. Dave did his best to spend as much time with his father and brother as he could to get through the tragedy together. I remember visiting Dave and his family during Shiva, and being touched by the stories and pictures they were all sharing from decades ago. The depth of the bond that he shares with his brother and father were immediately apparent.

Although by all accounts, including his own admission, what Dave has done was wrong. That said, I respect that Dave has publicly taken responsibility for his actions by pleading guilty to the charges against him. In speaking with him he knows he has a long journey towards restoring the reputation he once had within the community. To that end, he has begun to give back by volunteering his time at Daughters of Israel in West Orange and I am confident he will continue to find ways to repay this debt. Also, Dave searched to find a new job so that he could continue to provide for his family.

In short, for the past seven years I have known Dave to be a loving, supportive, nurturing and caring friend, father, husband, son and brother. He also takes responsibility for his actions, tries to give back to the community, and is a good provider for his family. Please contact me if you further elaboration on Dave's character would be helpful.

Respectfully submitted,



Susan B. Heyman
Associate Professor of Law

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT J

August 28, 2015

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Paul Leavy. I am forty three years old and live with my wife and three children in Livingston, New Jersey. Professionally, I am Vice President of Sales at a merchant services company called Progressive Payment Solutions located in Short Hills, New Jersey.

David Post has been a dear friend of mine for the past eighteen years. I first met him at Knight Securities where we sat right next to one another and worked very closely each and every day for nearly five years. We often spoke about our dreams of getting married and having a family. Outside of work, David and I spent time together golfing, going to dinner, visiting his alma mater, University of Michigan; things that good friends do. I also had the fortunate experience of meeting his parents and brother as well; a wonderful, loving family.

I am pleased to say that we are still close and David is still the same loving, caring friend that he has always been. Our wives, Debbie and Allie, have been friends for some time now and we have sons that are the same age. I can't even tell you how many times David has done favors for my family. He is the first one offering to pick up my son or drop him off from soccer practices or birthday parties. He even went as far as to pick up my eldest son, who he barely knows, from basketball practice one afternoon, take him to get a bite to eat, and then drop him home.

David Post is a caring, loving man that is well liked by our community and everyone he comes in contact with.

Respectfully submitted,


Paul Leavy

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT K

September 16, 2015

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Barbara Meranus. I am a Real Estate professional in Livingston, NJ. I have known David Post for the better part of 5 years. My relationship with the Post's was established through our children. I became close friends with David's wife, Debra through various kid activities and then organically with David.

Throughout the past 5 years I have primarily interacted with David during family activities. The most compelling thing I can say about David is that he is he was always helpful and charitable with his time, helping out and going the extra mile with the kids. When I would ask if he could drive the kids both ways to a birthday party because I had a conflict, or could he keep my daughter an extra hour? David would always try and work it out so that the kids were happy on the never-ending play date. It was NEVER an issue for him. He didn't "keep score", he didn't make you feel bad and most of all, my daughter was safe, happy and well cared for. She never wanted to leave the Post's warm, fun and loving home.

David dedicated most of his free time to his kids. He selflessly spent his time making sure his kids were having fun and being exposed to new things.

My daughter spent a great deal of time at The Post's. I will say that the David is an extraordinary parent. He is a hands-on father. Which I think is very rare today. His children are lucky to have the father they do. He takes an active interest in his children, their friends and actively participates in their lives. He coaches their teams. He goes to their games. He cheers them on. He teaches them sportsmanship. He teaches them you don't always win. In fact, I know he reads to them and when they needed to be put to bed, he did that each night. When they need help with homework, they go to David. He is calm, I have rarely heard him raise his voice to them. His children are as well mannered as he is. They are as gracious as he is. They are as soft spoken as he is. They are as humble as he is. They are as shy as he is. They are wonderful guests in my house, they share and they care about others. David displays all these character traits.

As for the charges to which David has pled guilty to. I can say this. I have never seen a greedy or secretive side of David. I have never seen an insatiable side of David. I have only seen a giving side-- with his wife, children and with his children's friends. I have also witnessed him with his extended family and good friends and he is nothing but generous with his time, attention and care. I have known David to be only generous and kind during the time I have known him. David is also the first to step up and say, "YES, I will" and volunteer to coach his son or daughter when nobody else wanted to do that job.

As for the charges that David pled guilty to, they are completely out of his character. When David told me, I was as shocked as I had ever been. My core was shaking. I couldn't believe it. I thought to myself and said out loud. "Everyone makes mistakes and bad choices. You made a

very bad choice and now you have to take responsibility for it.” David has certainly taken life-altering steps to do so. His new work, his volunteering, his active part in the community Temple—these are just small parts of the large changes in David’s life.

David has shown intense remorse over the past many months. He has paid for his poor choice in so many ways. He has lost his lifelong career, never to be regained. His reputation has been besmirched in this small community. He has brought shame to his wife. He has lost lifelong friendships.

Honorable Judge, I would beg you to consider a sentence without any jail. Incarceration would forever devastate his school age children for something they have nothing to do with. The idea of 7 year old Dean Post not reading with his father every night and 9 year old Sydney Post not looking up to her daddy each night doing homework would be cruel and unusual punishment for the children. The children suffering for a crime of their father would be more than the family could withstand. Those children are pure-hearted, loving, kind and above all, INNOCENT.

It is for these reasons that I ask you for leniency in David’s sentencing.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara Rich Meranus".

Barbara Rich Meranus

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT L



PROGRAM BROKERAGE CORPORATION • 1065 Avenue of the Americas • New York, N.Y. 10018

Tel: 212-338-2900 • Fax: 212-338-2910

*The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312*

Re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

I am writing in reference to the above noted case involving Mr. David Post.

I currently serve as the President of Program Brokerage Corporation's Wholesale Division. Holding that position since 2005, I am responsible for a staff of 40 insurance professionals. I am also the mother of two teenage sons. I have known Mr. David Post since 2002 when he started dating his wife Debbie. Debbie and I have been very close friends for 25 years. I now consider Dave a close and personal friend as well.

Over the years, our families have enjoyed much time together. I was there for David and Debbie's wedding, the birth of their children, holidays and numerous other occasions.

David is a great family man. He is a wonderful husband, father and son. He has always been actively involved in the daily lives of his children, Sydney and Dean. I have seen him change diapers; help with homework, coach hockey, football and soccer. He is truly an engaged parent and Sydney and Dean think the world of him. David was by his mother's side every day before she passed and he has been there for his father every day since. He is someone that is always there for others and that a lot of people depend on. He is someone that I am proud to call a friend.

The charges he has plead guilty to are something I would never have foreseen. I can only express disbelief because David is an individual of integrity, honesty and outstanding character. David has always had a strong sense of doing what is right and he is a person who has always followed the rules. In my discussions with him, he is extremely remorseful for his actions and deeply saddened by how they are affecting his family and loved ones.

David has a strong sense of duty to his family, friends and community. I am hopeful that he will be able to continue to contribute to all of our lives.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. O'Brien', with a long horizontal line extending to the right.

Cynthia O'Brien
President - Wholesale Division
Program Brokerage Corporation

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT M

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My wife, Nancy & I, moved from NYC to West Orange in 2007. I am a commodities broker and brought my group of 4 people to merge with another group of 5 in Jersey City. I now co-head of a group of 22 people. When our first child was in pre-school, we met David Post and his family. Our son, Jake, and their son, Dean, quickly became very close friends and we started to spend a lot of time with the Post family. David and his wife became more than friends and are like family to us.

From the first time the kids were able to play organized sports together at the age of 4, Dave and I coached together in every sport. The first sport was soccer and then basketball and finally street hockey. In all, we have coached about 8 seasons together in a little more than 3 years. I know Dave also coached a few years of flag football for the kids which I wasn't a part of. Although it sounds obvious for kids of such a young age, Dave is one of the few other fathers that I would coach with as we have the same understanding that it is all about kids gaining confidence in themselves at this age and Dave is extremely positive towards them.

Our families are together most weekends and I can honestly say that David is a wonderful father and husband. He is extremely involved in the kids day-to-day life. He is very encouraging and is a positive role model for the children. In contrast to the reason that I am writing to you, I see Dave consistently instill in his children (and to my children and the other numerous children that we have coached) the lessons of right and wrong and the proper way to treat other people.

I grew up as an only child in a family where my parents got divorced when I was 5. Therefore, a lot of my father figures growing up were the fathers of my best friends. From an early age, my goal in life was to not only be the best father I could be but also "pay it forward" to my kids' friends to prove to be a good role model. I would say that Dave is probably the father that carpools and plays with our sons friends' the most and tries to be a positive force not only in his children's life but also that of their friends.

Last October, we learned of and understand the charges to which David has plead guilty. From the first day that he told us- he took full responsibility for his actions and was immediately embarrassed and remorseful. Although I was shocked, I still had confidence that Dave was a truly good person and very worthy of friendship. Although I far from know anything about the law, I do believe that the justice system is in place mainly for rehabilitation. If I could offer any glimmer of help into this case, it is that I wholeheartedly believe that David has already been rehabilitated and any further action would be for additional punishment and to the utmost detriment to two wonderful kids who haven't had anything to do with this. To say that Dave has already been punished is an understatement. He has suffered from his name being in the paper and having to prove himself again to all the people he has known in the past and has everyday interactions with. He has also lost his source of income in a job that took him years to reach. Not that anyone should feel sorry for him as he fully admits that what he did was wrong, it's just that

if rehabilitation is the endgame, then I can, with utmost confidence, say that there is 0 chance of David ever doing this again (or anything even questionable after living through this.)

Thank you for your time and ability to represent to you some of the personality traits of Dave that are in stark contrast to the giant lapse of judgment that he made.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Scott & Nancy Ritch", with a long horizontal flourish extending to the right.

Scott & Nancy Ritch

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT N

Barry & Patti Roberts

30 Whitbay Drive West Orange NJ 07052

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

RE: United States v. David Post, 14 Cr. 715 (AKH)

August 31, 2015

Dear Judge Hellerstein:

David Post is one of those people that makes the world a better place. He is a considerate person that looks out for other people and we consider ourselves fortunate to have met him in 2007 when we moved to the townhouse across the street from where he lived with his family. David got involved in the condominium community, different committees and took an interest in helping people accomplish their wishes to alter some of the by-laws to allow more flexibility for personalizing the exterior of their units.

The most outstanding example we can possibly offer of David's extreme thoughtfulness was during Hurricane Sandy. We were out of town and lucky enough to miss this historic event. Our community lost power for more than a week and David had to relocate his family. He not only worried about his own home he came to check daily, but each day he'd call us with a report after going into our home to make sure everything was okay. Once the power was restored, before we could ask a relative to go into our home and clean out the refrigerator and freezer, David had already done so. Carefully sorting through things and preserving and cleaning plastic containers that contained food! Not just throwing everything in the garbage.

We spend each winter in Florida. Most of the winters over the past years have been extremely cold and or snowy and we've had to worry about frozen pipes, snow on the roof and extended power outages. David made sure we were covered during every storm. We would get a phone call with an update each time letting us know if there was a problem or that everything was fine. It always gave us peace of mind to know that David Post was looking out for us. What I haven't mentioned yet was that we never asked him to do any these things.

About two years ago, when the Posts told us they were moving to Livingston we were happy for them of course but joked and asked "But who's going to look after our house?". That event was followed by one of the worst winters on record in NJ of course as we enjoyed the sun and warmth of Florida. While watching the news and following some of the most severe snow storms on TV, we would receive a call from the Posts that David stopped by our their old neighborhood to check on our house for us just to make sure everything was okay.

David Post is always looking out for the other guy and always willing to lend a hand. He puts other people before himself because that's just the way he thinks. There aren't enough people like that in today's world where most people are so focused on themselves.

Respectfully submitted,



Patti Roberts



Barry Roberts

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney

EXHIBIT O

The Honorable Alvin K. Hellerstein

United States District Court

Southern District of New York

Daniel P. Moynihan U.S. Courthouse

500 Pearl Street

New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Eric Ross and I'm a 41-year-old owner and managing partner of a Technology Staffing Company (EJR Search Partners). I reside in Livingston, New Jersey with my wife (Robin), an elementary school teacher, and my two kids (Devin and Ryan). I'm writing you today to tell you about the David Post that I know.

I first met David in 2008, seeing him at various sporting events and in the Jewish Community, as our kids were the same age and were becoming friends. When David first told me that he was being charged with insider trading I was shocked; David is selfless, a great father and friend, and those aren't qualities that usually get associated with that crime.

Everything David does is for his family and friends. I think having a son with extensive anxiety has taught him to be selfless with his time (and to have great patience). As long as I've known David he has been the parent that everyone could always count on. For example, David is the parent who coach's kid's sports teams (such as Hockey, and Flag Football). His patience helped my son Ryan (who never picked up a Hockey Stick) develop into a top defenseman on 2 Championship teams; not easy when dealing with 7 year old Boys. In large groups he is always the one who makes sure all the kids are involved and having a good time, not only at his house but really anywhere there are large groups of kids. If Robin and I have an emergency or have to go out last minute, he is the first person I'm calling. David drives the carpool, hosts the sleepovers, and is a remarkable parent. All of that would be great by itself, but he's also always there for my children as well.

I've also been fortunate to call David Post a true friend of mine for the last seven (7) years. Besides being fun to be around, you can always count on him which is important when deciding who your friends are. When I needed to go to the hospital (for a broken nose) late at night and my wife Robin couldn't leave the kids unattended - - naturally it was David who drove me right over to the hospital and waited with me to make sure I was being taken care of.

Please don't let a lapse in judgment completely destroy my good friend's family.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'ER' followed by a long horizontal stroke.

Eric Ross

cc: Craig Carpenito, Esq.

Jessica Masella, Assistant U.S. Attorney

Edward Kim, Assistant U.S. Attorney

EXHIBIT P

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Gregg Roth and I work for Smart Source LLC and am a partner in Smart Source Media Group. I'm married with 1 daughter and now live in Parkland, FL. I've known David Post and his family for almost 8 years and we lived next door to them for almost 7 years. We met when both of our families moved into our homes in West Orange, NJ in 2007. Our families have remained good friends ever since. Although, we moved to Florida a little over a year ago, our daughters remain best friends and our families get together when we are in town or when the Posts are in Florida.

I understand the charges which David has pleaded guilty. I know what he did was wrong, but I also know it was a mistake he deeply regrets and was very out of character for the David I know. I've only known David to be a great father and husband and a good friend. David has always been honest and upstanding, and is always willing to lend a helping hand whenever needed. He volunteered on our community's board and would never hesitate to come over to our house to install a light fixture or a TV wall bracket or try to fix things for me and my family. Even after we moved (we moved to Florida a few months before David and his family moved to Livingston) David helped the family that moved into our house with a problem with the air conditioning when they couldn't get a hold of me. On another occasion, David came to the rescue during a big snow storm and picked us up when our car got stuck. We have always been able to count on David in times of need.

David is not much of a partier and doesn't focus his life around going out with the "guys" He would usually rather spend quality time with his family. He is always there for his children. He plays with them in the back yard, attends all of their functions and puts them to bed each night. He coaches their teams and I personally had the pleasure of coaching our daughters' soccer team with David. He was great with all the kids.

I feel that punishing David any further would only hurt David's wife and kids. David is not a threat to society. David has already paid for his mistake financially and emotionally.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Gregg Roth", written in dark ink.

Gregg Roth

cc: Craig Carpenito, Esq.

Jessica Masella, Assistant U.S. Attorney

Edward Kim, Assistant U.S. Attorney

EXHIBIT Q



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Of Counsel:
Philip R. Papa

August 6, 2015

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

re: United States v. David Post, 14 Cr. 715 (AKH)

Dear Judge Hellerstein:

My name is Edward Steinberg. I am an attorney admitted to practice law in the State of New York as well as before the Southern and Eastern District Courts of New York. I have drafted Memoranda in support and in opposition to motions, orally argued motions before the New York Courts and have tried many cases to verdict in the field of negligence. I am the founding partner of Leav & Steinberg, LLP and employ 20 people at my firm including 7 attorneys. I have been practicing for 18 years and have to evaluate and judge the character of people on a daily basis, I write this letter as a neighbor and friend of David Post who I have come to know over the past 7 years.

David and I both live in Livingston, New Jersey and our children attend the same elementary school. I can tell you David and his family are always courteous and respectful. David is a wonderful father. His 7 year old son, Dean is best friends with my 7 year old son Jack. Over the years, David has cared for my son as if he was his own. David has always taken the time to be a responsible role model as a father and husband. David and his wife Debbie, have become very friendly with me and my wife Stacy. We consider them our dear friends. They share the same values as we do- stressing family, loyalty, honesty, hard-work, and education. That is what makes David's crime so completely out of character. I simply have not seen any prior behavior that would even suggest David was anything but completely forthright.

I cannot count the amount of times David has cared for my son; carpooled to sporting events; gone for ice-cream; eaten in my home; and has been a great friend to me and my family. Whether it's a play date at Dave's home or hanging out at my home with David and Dean, David has always made sure the boys are acting responsibly and appropriately. This has allowed my son's friendship to be one that I truly cherish. When it comes to having a sleepover, my son always says that he enjoys spending time with Dean, but stresses that David always makes it fun and includes him in all the activities.

When I first learned of the crime's David had committed, I was shocked. Not because it happened or because of the gravity and significance of the events rather, it was contrary to all of the traits and qualities David had always shown. He was never one to stress anything regarding money or in any way indicate that he cared about his financial status as compared to others. Moreover, having watched him interact with my son as well as among adults he was always honest, forthright and had strong values. He is the first person at a family barbecue to settle a disagreement among the kids, help make sure everyone is included in activities and when the party is over, he is always the last to leave; only because he is there to help clean up in any way he can.

Though he must take full responsibility, I believe a true measure of his character must include a discussion about David as a father, friend and neighbor. I am certain that our children will remain friends through the end of this ordeal and beyond. I too remain steadfast in my support and friendship of David. Hopefully, he and his wonderful family will not be completely ruined by this situation. I can say with confidence that my personal relationship will not change regardless of the outcome of the outcome. Furthermore, my trust in David with my son Jack will not change either. I will continue to have the utmost confidence that David will always look out for my family's well-being and safety; as a result our friendship will endure into the future. I hope my discussion above has shed some important light on these qualities and that your honor gives all of this, full consideration in his sentencing.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Edward A. Steinberg".

Edward A. Steinberg

cc: Craig Carpenito, Esq.
Jessica Masella, Assistant U.S. Attorney
Edward Kim, Assistant U.S. Attorney